

REMARKS/ARGUMENTS

The Applicants' attorney takes this opportunity to thank Examiner Adams for his time spent in the brief telephonic discussion of certain aspects of this case on April 24th, 2006.

This Amendment B is responsive to the outstanding Final Office Action dated March 21, 2006. The pending Action rejects pending claims 1-18 and 20-22 on various grounds over several applied references. In this Action Claims 2, 9-14, and 20-21 are cancelled (as remains cancelled Claim 19) without prejudice.

Claims 1, 3-8, 15, 16, and 22 are amended to further clarify the subject matter regarded as the invention. Claims 1, 3-8, 15-18 and 22 are now pending in this application.

Rejection Under 35 U.S.C. § 102

Claims 1-3, 5-10 and 20-22 have been rejected under 35 U.S.C. § 102(b) as being anticipated by *White et al.* (USPN 3,915,317 hereinafter "*White*").

Claims 2, 9, 10, and 20-21 are cancelled, thereby obviating this rejection as to those claims.

Amendments have been made to the claims which highlight certain distinctions between the cited art and the claimed invention. The Applicants will explain as follows:

Claim 1 (upon which remaining claims 3 and 5-8 depend) the following unique elements not present in the cited art. Claim 1 recites a wafer stacking apparatus with an "interior cavity having a plurality of supports spaced at fixed vertical intervals inside the housing enabling a plurality of wafers to be horizontally supported in a vertically spaced apart arrangement" with "supports further adapted to enable the ... plurality of semiconductor wafers to be raised upwardly out of the housing" and also recites a "transfer guide proximate to the open side of the housing, the transfer guide having a plurality of supporting splines arranged in registry with the supports of the housing such that wafers can be slid directly from the splines to an associated set of supports while the wafers remain in a substantially horizontal orientation".

Additionally, Claim 1 recites "an elevator ... configured to pass upwardly through the open bottom of the housing detaching the semiconductor wafers from the supports and the housing and lifting the wafers upwardly ... to collect the semiconductor wafers into a stack".

Claim 1 teaches none of these limitations. No "interior cavity having a plurality of supports spaced at fixed vertical intervals"(emphasis added) is taught. No support configuration "inside the housing enabling a plurality of wafers to be horizontally supported in a vertically spaced apart arrangement"(emphasis added). No supports "adapted to enable the ... plurality of semiconductor wafers to be raised upwardly out of the housing". Rather, in *White* the articles must be punched downward out of the chute onto platform 28 which is lowered to remove the articles (dental packets 12) from the chute. Additionally, *White* does not teach a "transfer guide proximate to the open side of the housing, the transfer guide having a plurality of supporting splines arranged in registry with the supports of the housing such that wafers can be slid directly from the splines to an associated set of supports while the wafers remain in a substantially horizontal orientation" (emphasis added).

Additionally, Claim 1 recites "an elevator ... configured to pass upwardly through the open bottom of the housing detaching the semiconductor wafers from the supports and the housing and lifting the wafers upwardly ... to collect the semiconductor wafers into a stack". Nothing of the kind is taught in *White*. Accordingly, for failing at so many points to teach all claimed limitations, *White* fails to establish a *prima facie* case of anticipation of Claim 1 (as well as all dependent claims).

As to Claim 22, no basis for rejecting this method claim is found anywhere in *White*. Among the many shortcomings of *White* is the fact that it does not teach a "lift driven support that moves upwardly through the open bottom of the housing pushing the wafers upward and releasing the wafers from the housing as the lift member elevates thereby ... stacking the wafers one after the other as the lift rises to push the wafers out of the top opening of the housing" (emphasis added). This alone is sufficient to distinguish the cited art from the claimed invention although there are many more distinctions. Accordingly, *White* fails to establish a *prima facie* case of anticipation of Claim 22.

The Applicants make reference to Fig 1 of the present invention to point out some distinctions between the claims and the cited art. The housing 20 is filled with wafers 30. The transfer guide 60 is arranged at the side of the housing 20. The guide 60 is positioned at the side

of the housing 20 to enable wafers from cassette 50 to be slid through the guide 60 into the housing 20. In the depicted embodiment, transfer arm 70 shoves the wafers across the guide 50 into the housing. The member (basket 80 and lift 90) push up through the housing 20 neatly collecting wafers 20 into a stack as it is elevated.

With all due respect, the Applicants are obligated to point out that nothing in *White* is offered as teaching "a transfer guide" as claimed. At most element 40 comprises a further component of the housing instead of the separate guide required by the claims. More specifically, in view of the amendment, nothing in the Action or cited portions of the art teach a "transfer guide proximate to the open side of the housing, the transfer guide having a plurality of supporting splines arranged in registry with the supports of the housing such that wafers can be slid directly from the splines to an associated set of supports". Absent a teaching of the recited transfer guide configuration, the cited art has failed to establish a *prima facie* case for anticipation. Accordingly, Applicants submit that the cited art fails to teach all claim elements and therefore is insufficient to establish a rejection under 35 U.S.C. § 102. Accordingly, the Applicants respectfully request that this ground of rejection be withdrawn as the Claim 1 and the claims depending therefrom (Claims 3 and 5-8) as well as Claim 22.

Moreover, as to the dependent claims, such claims include many other distinctions over the cited art, however due to the sufficiency of the arguments in support of Claim 1, they need not be discussed in detail at this time.

Accordingly, the Applicants have pointed out certain distinctions between the claims and the cited art. The Applicants respectfully submit that these distinctions are sufficient to distinguish these claims from the cited art. Therefore, Applicants respectfully submits that Claims 1 and 22 (and the claims depending therefrom) are patentable over the cited art and accordingly request that all rejections be withdrawn and the pending claims be allowed.

Rejections Under 35 U.S.C. § 103

Rejection of Claims 4, 11, 12:

Claims 4, 11, 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication to *White* in view of *Hardy* (USPN 2,407,782).

Claims 11 and 12 have been cancelled making this rejection moot as to those claims, so

as to merit no further discussion.

Claim 4 is allowable as described above with respect to the discussions of Claim 1 upon which it depends. Nothing in the cited art teaches or suggests, for example, "an elevator ... configured to pass upwardly through the open bottom of the housing detaching the semiconductor wafers from the supports and the housing and lifting the wafers upwardly ... to collect the semiconductor wafers into a stack". Absent such a limitation the cited combination fails. Thus, it is fairly clear that the cited art fails to establish elements of Claim 4. Accordingly, the cited art has failed to establish a *prima facie* case of obviousness. Therefore, Applicants respectfully request that the pending grounds for rejection be withdrawn as to Claim 4.

Rejection of Claims 13-15 and 19:

Claims 13-15 and 19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication to *White* in view of *Nichols* (USPN 5,735,662). These claims are cancelled thus any further discussion of such Claims is a moot point. Accordingly, Applicants request that this ground of rejection be withdrawn.

Claims 13-14 and 19 have been cancelled making this rejection moot as to those claims, so as to merit no further discussion.

Claim 15 is distinct from the cited art because the art does not teach or suggest a housing having "an open top and open bottom enabling access to an interior cavity of the housing" nor do they teach supports "adapted to enable the ... plurality of semiconductor wafers to be raised upwardly out of the housing" (emphasis added). Nor do they teach "a transfer guide proximate to the open side of the housing, the transfer guide having a plurality of supporting splines arranged in registry with the supports of the housing such that wafers can be slid directly from the splines to an associated set of support" (emphasis added). Moreover, the cited combination does not teach or suggest "an elevator configured to pass upwardly through the open bottom of the housing detaching the semiconductor wafers from the supports and the housing and lifting the wafers upwardly to collect the semiconductor wafers into a stack". Thus, the cited art is far short of teaching the required elements and therefore fails to establish a *prima facie* case of obviousness. Therefore, Applicants respectfully request that the pending grounds for rejection be withdrawn as to Claim 15.

Rejection of Claims 16-18:

Claims 16-18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication to *Hill* in view of *De Luna*. Applicants respectfully disagree and have amended these claims to more clearly present the patentable features.

Claim 16 recites a method of stacking semiconductor wafers including "providing a wafer stacking apparatus having a housing with ... top and bottom openings and ... including a transfer guide positioned adjacent to the side opening of the housing" and even more importantly a step of "releasing the plurality of semiconductor wafers from the supports by *lifting* the wafers upwardly from the supports thereby collecting ... the plurality of semiconductor wafers into a stack."

Thus, the cited art falls short of teaching or suggesting all the required elements of Claim 16 and therefore fails to establish a *prima facie* case of obviousness. Therefore, Applicants respectfully request that the pending grounds for rejection be withdrawn as to Claim 16 (and the claims depending therefrom 17 & 18).

Conclusion:

In view of the foregoing amendments and remarks, it is respectfully submitted that the claimed invention as presently presented is patentable over the art of record and that this case is now in condition for allowance.

Accordingly, the Applicants request withdrawal of all pending rejections and request reconsideration of the pending application and prompt passage to issuance. As an aside, the Applicants clarify that any lack of response to any of the issues raised by the Examiner is not an admission by the Applicants as to the accuracy of the Examiner's assertions with respect to such issues. Accordingly, Applicants specifically reserve the right to respond to such issues at a later time during the prosecution of the present application, should such a need arise.

As always, the Examiner is cordially invited to telephone the Applicants' representative to discuss any matters pertaining to this case. Should the Examiner wish to contact the undersigned for any reason, the telephone numbers set out below can be used.

Additionally, if any fees are due in connection with the filing of this Amendment, the Commissioner is authorized to deduct such fees from the undersigned's Deposit Account No. 50-0388 (Order No. NSC1P286).

Respectfully submitted,

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